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LEGAL BASIS OF PR ACTIVITY: INTERNATIONAL AND NATIONAL EXPERIENCE

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ABSTRACT

The legal basis of Public Relations (PR) activity is foundational to shaping communication strategies globally, encompassing both international conventions and national laws. This article delves into the intersection of legal frameworks and PR practices, aiming to elucidate how regulations ensure transparency, accountability, and ethical conduct in communication strategies. On an international scale, a diverse array of conventions and agreements provide guidelines for ethical conduct and transparency in PR. From the Universal Declaration of Human Rights to industry-specific codes of conduct, these international instruments offer a framework for guiding PR practitioners in their interactions with stakeholders. At the national level, legal frameworks vary, reflecting unique socio-political contexts and cultural norms. However, common themes emerge, including constitutional protections for freedom of expression, regulation of media and communication, and oversight by regulatory bodies. Ethical considerations and compliance with legal standards are paramount in PR practice. PR professionals must navigate complex ethical dilemmas while upholding the trust and credibility of their clients or organizations.

KEYWORDS

Legal basis, public relations (PR) activity, international conventions, national laws, regulatory framework, communication ethics.

INTRODUCTION

In an era defined by the omnipresence of media and communication, Public Relations (PR) has emerged as a vital tool for organizations seeking to navigate the complex landscape of public perception and stakeholder engagement. Integral to the practice of PR is a robust legal framework that delineates the boundaries within which communication strategies operate, ensuring transparency, accountability, and ethical conduct [5].

This article seeks to examine the legal foundations of PR activity, drawing insights from both international conventions and national laws. By exploring the intersection of legal regulations and PR practices, we aim to uncover the mechanisms that shape communication strategies on a global scale.

The international dimension of PR regulation is characterized by a diverse array of conventions and agreements that set standards for ethical conduct and transparency in communication. From the Universal Declaration of Human Rights to industry-specific codes of conduct, these international instruments provide a framework for guiding PR practitioners in their interactions with diverse stakeholders.

At the national level, the legal landscape for PR activity varies significantly, reflecting the unique socio-political contexts and cultural norms of individual countries. While some nations have established comprehensive regulatory frameworks governing PR practices, others

rely on industry self-regulation or adopt a laissez-faire approach to oversight [1].

By examining the experiences of different countries, we can gain valuable insights into the strengths and limitations of various legal models for regulating PR activity. Moreover, we can identify common challenges and opportunities for enhancing the effectiveness of PR regulation in an increasingly interconnected world.

In navigating the complex terrain of PR regulation, it is essential to consider not only the letter of the law but also the ethical principles that underpin responsible communication. As such, this article will also explore the ethical considerations that inform PR practices within legal frameworks, as well as the mechanisms for ensuring compliance and accountability [3].

Through a comprehensive analysis of the legal basis of PR activity, this article aims to contribute to a deeper understanding of the role of law in shaping communication strategies and fostering trust between organizations and their stakeholders. By elucidating the international and national experiences in PR regulation, we hope to provide valuable insights for practitioners, policymakers, and scholars alike.

The international legal framework for PR activity encompasses a variety of conventions, treaties, and agreements that establish guidelines and standards for ethical conduct, transparency, and accountability in

communication. Here's an overview of some key components:

1. **Universal Declaration of Human Rights (UDHR):** While not specifically focused on PR, the UDHR includes principles relevant to communication, such as the right to freedom of expression (Article 19) and the right to seek, receive, and impart information and ideas through any media (Article 19).
2. **International Covenant on Civil and Political Rights (ICCPR):** Similar to the UDHR, the ICCPR guarantees the right to freedom of expression, including the freedom to hold opinions without interference and to seek, receive, and impart information and ideas of all kinds through any media (Article 19).
3. **International Labour Organization (ILO) Conventions:** Certain ILO conventions address communication-related issues, such as the right to organize and collective bargaining, which can impact PR activities within organizations.
4. **International Chamber of Commerce (ICC) Codes and Guidelines:** The ICC has developed various codes and guidelines related to advertising, marketing, and corporate communication, which provide industry-specific standards for PR practitioners.
5. **United Nations Global Compact (UNGC):** The UNGC is a voluntary initiative that encourages businesses

to adopt sustainable and socially responsible policies, including in their communication practices. Participating companies commit to upholding principles related to human rights, labor, environment, and anti-corruption [2].

6. **Industry-Specific Codes of Conduct:** Many industries have developed their own codes of conduct or best practices guides for PR and communication professionals. These codes often address issues such as honesty, integrity, respect for privacy, and fair competition.
7. **International Public Relations Association (IPRA) Code of Conduct:** The IPRA has established a code of conduct for PR professionals, outlining ethical principles and standards of behavior to guide their practice globally.
8. **European Union (EU) Regulations:** Within the EU, regulations such as the General Data Protection Regulation (GDPR) and the Audiovisual Media Services Directive (AVMSD) impact PR activities by regulating data privacy, advertising, and media content.

These international legal instruments provide a foundation for ethical and responsible PR practices on a global scale. While they may not be legally binding in all jurisdictions, they serve as guiding principles for PR professionals and organizations operating across borders. Compliance with these standards helps to build trust and credibility with stakeholders and

contributes to the promotion of transparency and accountability in communication.

National legal frameworks for PR activity vary significantly from one country to another, reflecting differences in legal systems, cultural norms, and political contexts. Here's an overview of some common components found in national regulations governing PR activity:

1. **Constitutional Protections:** Many countries enshrine freedom of expression and freedom of the press in their constitutions or fundamental laws, providing a legal basis for PR activities that involve communication with the public.
2. **Media and Communication Laws:** National laws often regulate various aspects of media and communication, including advertising, broadcasting, and online content. These laws may impact PR activities by setting standards for content, regulating advertising practices, and protecting consumers from deceptive or misleading information.
3. **Corporate and Commercial Laws:** Companies engaging in PR activities must comply with corporate and commercial laws governing aspects such as competition, consumer protection, intellectual property, and advertising. These laws may influence PR strategies, particularly in relation to branding, marketing, and promotional activities.
4. **Regulatory Bodies and Oversight Agencies:** Many countries have regulatory bodies or oversight agencies responsible for monitoring and enforcing compliance with laws related to PR and communication. These agencies may have specific mandates, such as regulating advertising standards, overseeing broadcasting content, or enforcing data protection regulations.
5. **Political and Electoral Laws:** In democratic societies, regulations governing political communication and electoral campaigns can impact PR activities related to political parties, candidates, and advocacy groups. These laws may include provisions for campaign finance, disclosure of political advertising, and limits on electioneering.
6. **Privacy and Data Protection Laws:** With the increasing digitization of communication, privacy and data protection laws have become increasingly important for PR activities that involve the collection, processing, and dissemination of personal information. These laws regulate how organizations can use personal data for PR purposes and may include requirements for consent, transparency, and security.
7. **Ethical Codes and Standards:** In addition to legal requirements, many countries have industry-specific codes of ethics or professional standards that govern the conduct of PR practitioners. These codes may be developed by professional

associations, industry groups, or regulatory bodies and typically address issues such as honesty, integrity, confidentiality, and conflicts of interest.

8. Enforcement Mechanisms and Penalties: National legal frameworks often include mechanisms for enforcing compliance with PR-related laws and regulations, such as fines, penalties, or other sanctions for non-compliance. Enforcement may be carried out by regulatory agencies, courts, or other government bodies responsible for overseeing PR activities.

Overall, national legal frameworks play a crucial role in shaping the practice of PR within individual countries, providing a legal basis for ethical conduct, transparency, and accountability in communication with the public. Compliance with these laws is essential for PR practitioners and organizations to operate lawfully and maintain trust with stakeholders.

CONCLUSION

In conclusion, the legal basis of PR activity, both internationally and nationally, plays a crucial role in shaping communication strategies, ensuring transparency, accountability, and ethical conduct in public relations. Throughout this article, we have explored the multifaceted dimensions of PR regulation, from international conventions and treaties to national laws and industry-specific codes of conduct.

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